

PLANNING COMMISSION AGENDA

CITY OF BROOKINGS
Council Chambers - 898 Elk Drive
October 5, 2021 at 7:00 PM



1. CALL TO ORDER - PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. PLANNING COMMISSION CHAIR PERSON ANNOUNCEMENTS
4. PUBLIC HEARINGS

4.1 In the matter of File No. LDC-1-21, city initiated, revisions to the Brookings Municipal Code, Title 17 Land Development Code, Chapter 17.180, Workforce Housing, Section 17.180.040, deleting paragraph D. The criteria used to decide this matter is found in Chapter 17.140, Amendments, of the Brookings Municipal Code. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on this matter.

4.2 In the matter of File No. LDC-2-21, city initiated, revisions to the Brookings Municipal Code, Title 17 Land Development Code, Chapter 17.08.020 adding a definition of Benevolent Meal Service, Chapters 17.20.040, 17.24.040 and 17.28.040 adding Benevolent Meal Service as a Conditional Use. The criteria used to decide this matter is found in Chapter 17.140, Amendments, of the Brookings Municipal Code. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on this matter.

5. MINUTES FOR APPROVAL
 - 5.1 Minutes of Planning Commission meeting of September 7, 2021
6. UNSCHEDULED PUBLIC APPEARANCES
7. REPORT FROM THE PLANNING STAFF
8. COMMISSION FINAL COMMENTS
9. ADJOURNMENT

Unscheduled public appearances and comments are limited to 5 minutes. All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1103 if you have any questions regarding this notice.

You can view the Planning Commission meeting LIVE on television on Charter PEG Channel 181; stream it LIVE on a computer by copying and pasting the following link inside your web browser: <mms://68.185.2.46:8080>; or to stream it LIVE on a mobile device you will need to download the VLC Media Player which is available at: <https://or-brookings2.civicplus.com /252/Watch-Meetings-Live> and follow directions and links for your device.



City of Brookings

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PUBLIC WORKS AND DEVELOPMENT SERVICES DEPARTMENT

Email: September 2, 2021

Publish: September 10, 2021

NOTICE OF PUBLIC HEARING BEFORE THE BROOKINGS PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Brookings Planning Commission on Tuesday, October 5, 2021 at 7:00 PM in the Council Chambers of Brookings City Hall, 898 Elk Drive, Brookings, OR 97415.

In the matter of File No. LDC-1-21, city initiated, revision to the Brookings Municipal Code, Chapter 17.180, Workforce Housing, Section 17.180.040, deleting paragraph D. The criteria used to decide this matter is found in Chapter 17.140, Amendments, of the Brookings Municipal Code. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on this matter.

In the matter of File No. LDC-2-21, city initiated, revisions to the Brookings Municipal Code, Title 17 Land Development Code, Chapter 17.08.020 adding a definition of Benevolent Meal Service, Chapters 17.20.040, 17.24.040 and 17.28.040 adding Benevolent Meal Service as a Conditional Use. The criteria used to decide this matter is found in Chapter 17.140, Amendments, of the Brookings Municipal Code. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on this matter.

The public is invited to attend and participate in the public hearing. All persons wishing to address this matter will have an opportunity to do so in person at the hearing or by submitting written evidence to the Brookings Planning Department at the address above. If you wish to speak at the hearing, you will be asked to sign in and afforded five (5) minutes to speak. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties an opportunity to respond to the issues precludes appeal to the Oregon Land Use Board of Appeals (LUBA).

A copy of the application, all documents and evidence submitted on behalf of the applicant is available for public inspection at no cost at the Brookings Planning Department, 898 Elk Drive, Brookings, OR. The staff report prepared in this case will be available seven days prior to the hearing. Copies of documents may be obtained at reasonable cost.

All public meetings are held in accessible locations, auxiliary aids will be provided upon request with advance notification. Please contact 541-469-1103 to make appropriate arrangements or for additional information. TTY 800-735-1232.

CITY OF BROOKINGS PLANNING COMMISSION
STAFF REPORT

SUBJECT: Land Development Code Amendment
FILE NO: LDC-2-21
HEARING DATE: October 5, 2021

REPORT DATE: September 23, 2021
ITEM NO: 4.2

GENERAL INFORMATION

APPLICANT: City Initiated

REPRESENTATIVE: City Staff

REQUEST: Revisions to the Brookings Municipal Code (BMC), Title 17 Land Development Code, Chapter 17.08.020 adding a definition of Benevolent Meal Service, Chapters 17.20.040, 17.24.040 and 17.28.040 adding Benevolent Meal Service as a Conditional Use and addition to Chapter 17.124 adding specific standards for Benevolent Meal Services

PUBLIC NOTICE: Published September 10, 2021 in local newspaper

BACKGROUND INFORMATION

Staff received direction from Council and Planning Commission, at a joint workshop held August 30, 2021, to propose revisions to the BMC that would provide a method for local churches and other non-profits to obtain a Conditional Use Permit in order to provide benevolent meal services in a residential zone. Oregon Health authority (OHA) has classified the community kitchens located at St. Timothy's Episcopal Church, Star of the Sea Catholic Church and the Presbyterian Church as restaurants. The BMC does not allow "restaurants" either outright or conditionally as they are currently operating within residential districts (R-1, R-2, R-3).

Staff is proposing revisions to the BMC that would create a method for allowing benevolent meal services in churches, in a residential zone, under a Conditional Use Permit.

Chapters 17 sections included for review:

Section 17.08.020 B Terms

Section 17.20.040, 17.24.040, 17.28.040 Conditional Uses

Section 17.124 Specific Standards Applying to Conditional Uses.

Proposed revisions include adding the definition of Benevolent Meal Services in Section 17.08.020 B Terms, adding benevolent meal services as a conditional use in Sections 17.20.040, 17.24.040 and 17.28.040.

Proposed revisions to Chapter 17 Land Development Code, Sections;

17.08.020 B Terms

"Benevolent meal service" means a periodic food service operation that provides food to the public without charge.

17.20.040 Conditional Uses.

V. Benevolent meal services, as a primary use or in combination with another use permitted outright or conditionally, subject to BMC 17.124.050

17.24.040 Conditional Uses.

W. Benevolent meal services, as a primary use or in combination with another use permitted outright or conditionally, subject to BMC 17.124.050

17.28.040 Conditional Uses.

U. Benevolent meal services, as a primary use or in combination with another use permitted outright or conditionally, subject to BMC 17.124.050

17.124.050 Benevolent Meal Service

A. Organizations or individuals providing benevolent meal services may serve meals to the public up to 2 days per week between the hours of 9am and 5pm. Benevolent meal services shall last no more than three hours per day.

B. Benevolent meal services shall comply with all applicable state and county public health requirements and shall maintain any permits, licenses, or certifications required to provide such services at all times.

C. Benevolent meal services must utilize off-street parking facilities that comply with all applicable requirements of the Brookings Municipal Code. Off-street parking facilities shall include screening measures to reduce noise and other impacts to abutting properties.

D. Any structures used to provide benevolent meal services shall comply with all applicable city, county and state requirements related to building, fire and public works standards.

E. An organization providing benevolent meal services must meet the requirements of a charitable organization under Section 501(c)(3) of the Internal Revenue Code.

RECOMMENDATION

Staff supports a Planning Commission recommendation of approval to the City Council of file #LDC-2-21; revisions to the Brookings Municipal Code (BMC), Title 17 Land Development Code, Chapter 17.08.020 adding a definition of Benevolent Meal Service, Chapters 17.20.040, 17.24.040 and 17.28.040 adding Benevolent Meal Service as a Conditional Use and addition to Chapter 17.124 adding specific standards for Benevolent Meal Services.